



04-16-08

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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------------|------------------------|----------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/992,643 | |
| | Filing Date | November 14, 2001 | |
| | First Named Inventor | BOTSTEIN, et al. | |
| | Group/Art Unit | 1646 | |
| | Examiner Name | KEMMERER, Elizabeth | |
| Total Number of Pages in This Submission | | Attorney Docket Number | GNE-2730-P1C13 |

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
 - ☐ Fee Attached
- ☐ Amendment / Response
 - ☐ After Final
 - ☐ Version With Markings Showing Changes
 - ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request – 1 month
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
 - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Copy of Notice

- ☐ Copy of Assignment
- ☐ Amendment Under 37 CFR §1.48(b)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ **APPEAL COMMUNICATION TO GROUP (APPEAL NOTICE, BRIEF, REPLY BRIEF)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (Please Identify Below):
- ☒ **EVIDENCE APPENDIX ITEMS 1-10**

Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 07-1700 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. GNE-2730-P1C13.

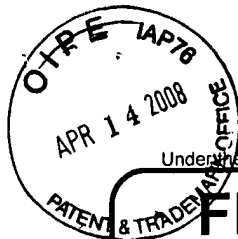
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | | | |
|-------------------------|--|--------------------------------|---------------------------|
| Firm or Individual name | GOODWIN PROCTER LLP | JAMES A. FOX (Reg. No. 38,455) | |
| | 135 Commonwealth Drive, Menlo Park, California 94025 | Telephone: (650) 752-3100 | Facsimile: (650) 853-1038 |
| Signature | | | |
| Date | APRIL 14, 2008 | Customer Number: | 77845 |

**FILED VIA EXPRESS MAIL NO. EB 242 548 544 US
ON APRIL 14 2008**

BY: ARLETTE MALHAS
LIBC/3265045.1

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2008

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 630.00)

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 09/992,643 |
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| First Named Inventor | BOTSTEIN, et al. |
| Examiner Name | KEMMERER, Elizabeth |
| Art Unit | 1646 |
| Attorney Docket No. | GNE-2730-P1C13 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

07-1700

GOODWIN PROCTER LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 810 | 2001 405 | Utility filing fee | |
| 1002 360 | 2002 180 | Design filing fee | |
| 1003 570 | 2003 285 | Plant filing fee | |
| 1004 810 | 2004 405 | Reissue filing fee | |
| 1005 210 | 2005 105 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|--|
| 1202 50 | 2202 25 | Claims in excess of 20 |
| 1201 210 | 2201 105 | Independent claims in excess of 3 |
| 1203 370 | 2203 185 | Multiple dependent claim, if not paid |
| 1204 210 | 2204 105 | ** Reissue independent claims over original patent |
| 1205 50 | 2205 25 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 120 | 2251 60 | Extension for reply within first month | 120.00 |
| 1252 460 | 2252 230 | Extension for reply within second month | |
| 1253 1,050 | 2253 525 | Extension for reply within third month | |
| 1254 1,640 | 2254 820 | Extension for reply within fourth month | |
| 1255 2,230 | 2255 1,115 | Extension for reply within fifth month | |
| 1401 510 | 2401 255 | Notice of Appeal | |
| 1402 510 | 2402 255 | Filing a brief in support of an appeal | 510.00 |
| 1403 1,030 | 2403 515 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 510 | 2452 255 | Petition to revive - unavoidable | |
| 1453 1,540 | 2453 770 | Petition to revive - unintentional | |
| 1501 1,440 | 2501 720 | Utility issue fee (or reissue) | |
| 1502 820 | 2502 410 | Design issue fee | |
| 1503 1,130 | 2503 565 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 810 | 2809 405 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 810 | 2810 405 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 810 | 2801 405 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 630.00)

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|---------------------|-----------------------------------|----------------|-----------|----------------|
| Name (Print/Type) | JAMES A. FOX, Ph.D. | Registration No. (Attorney/Agent) | 38,455 | Telephone | (650) 752-3100 |
| Signature | | Date | APRIL 14, 2008 | | |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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